

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No. _____ P00,1816	First Named Inventor or Application Identifier  Wilko Kuphal et al,  Express Mail Label No: # _____
ADDRESS TO <b>Assistant Commissioner for Patents</b> <b>Box Patent Application</b> <b>Washington, DC 20231</b>		

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APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
<i>See MPEP chapter 600 concerning utility patent application contents.</i>  1. <input checked="" type="checkbox"/> Specification [Total Pages <u>16</u> ] 2. <input checked="" type="checkbox"/> Drawing(s) (35USC 113) [Total Pages <u>3</u> ] 3. <input checked="" type="checkbox"/> Declaration and Power of Attorney [Total Pages <u>2</u> ]  <input checked="" type="checkbox"/> Newly executed(original of copy)  <input type="checkbox"/> Copy from prior application (37CFR 1.63(d)) (for continuation/divisional with Box 14 completed)  <div style="border: 1px solid black; padding: 5px;"> <b>[Note Box 4 Below]</b>  <b>DELETION OF INVENTOR(S)</b>          Signed statement attached deleting          Inventor(s) named in the prior application,          see 37 CFR 1.63(d)(2) and 1.33(b).       </div> <input type="checkbox"/> Incorporation By Reference (usable if Box 3b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	5. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & documentation) <u>Siemens Aktiengesellschaft</u> 6. <input type="checkbox"/> Letter under 37 CFR 1.41(c). 7. <input type="checkbox"/> English Translation Document (if applicable) 8. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 9. <input type="checkbox"/> Preliminary Amendment 10. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 11. <input type="checkbox"/> Small Entity Statement filed in prior application, Status still proper and desired 12. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) German Application No 199 57 129.5 filed November 26, 1999 13. <input type="checkbox"/> Other: _____

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_

CLAIMS AS FILED					
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) BASIC FEE \$710.00	
TOTAL CLAIMS 20	12				
INDEPENDENT CLAIMS 3	1				
ANY MULTIPLE DEPENDENT CLAIMS? (YES (X) NO)					
			TOTAL FILING FEE ->		\$710.00

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this application, or credit any overpayment to ACCOUNT NO. 501-519. A duplicate copy of this sheet is enclosed.  
  
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 JS/SN:BC U-11

# **SPECIFICATION**

## **TITLE**

### **“UROLOGICAL PATIENT POSITIONING TABLE”**

## **BACKGROUND OF THE INVENTION**

### **Field of the Invention**

The present invention is directed to a urological patient positioning table of the type having a patient positioning plate that with a head end and a foot end, and having a lifting column connected to the patient positioning plate.

### **Description of the Prior Art**

Patient positioning tables of this type are utilized for urological examinations of patients as well as for surgical interventions in urogenital regions of patients. Urological patient positioning tables are distinguished by relatively short patient positioning plates having lengths of around 1 m to 1.50 m that suffice for suitably supporting the patient. As a rule, the patient positioning plate of a urological patient positioning table has an x-ray transparent region in order, in combination with an x-ray system, to be able to implement radiological examinations of urogenital regions of patients, or surgical interventions in urogenital regions, under x-ray supervision. In order to be able to examine a patient not only in a prone position but also in a seated or standing posture, the patient positioning plate of a urological patient positioning table is pivotable around an axis that usually proceeds horizontally at a right angle relative to the longitudinal axis of the patient positioning plate.

Such a patient positioning table is disclosed, for example, in German OS 42 10 866. The patient positioning table has a patient positioning plate with a foot end and a head end that is connected to a lifting column arranged at the foot end of the patient

positioning plate. With a swivel mechanism that is likewise arranged at the foot end of the patient positioning plate, which is the support side of the urogenital region of a patient, the patient positioning plate is pivotable relative to the lifting column around a horizontal axis. A disadvantage of this patient positioning table is that the urogenital region of a patient seated on the patient positioning table is only partly accessible to a urologist examining the patient. The lifting column that is disposed laterally at the foot end of the patient positioning plate can act as an impediment to free access to the urogenital region of the patient, and the swivel device arranged at the foot end under the patient positioning plate for pivoting the patient positioning plate around the horizontally proceeding axis can act as an impediment to the legs of a urologist working at the patient positioning table in a sitting position.

German OS 197 21 537 discloses another patient positioning table of the type initially described having a lifting column and a patient positioning plate that is pivotable around a horizontal proceeding axis with a swivel device arranged at the foot end of the patient positioning plate. With this patient positioning table, the accessibility to the patient borne on the patient positioning plate is in fact improved as a result of the lifting column being arranged under the patient positioning plate; nonetheless, impediments for a urologist examining a patient borne on the patient positioning plate can occur due to the lifting column being arranged at the examination side for the urogenital region and the swivel device being connected to the lifting column.

## SUMMARY OF THE INVENTION

Then object of the present invention is to implement a urological patient positioning table of the type initially described such that a patient placed on the patient positioning plate is freely accessible laterally and frontally in the urogenital region.

This object is inventively achieved in a urological patient positioning table with a patient positioning plate that has a head end and a foot end and that has a carrying arm for the patient positioning plate connected to a lifting column, with the lifting column and the carrying arm are arranged at the head end of the patient positioning plate to the side next to the patient positioning plate. As a result of this arrangement of the lifting column, access to the urogenital region (placed at the foot end of the patient plate) of a patient positioned on the patient positioning plate in a lying position is not impeded by the lifting column of the patient positioning table, so that the urogenital region of a patient on the patient positioning plate is freely accessible at both sides as well as frontally.

United States Patent No. 4,960,271 discloses a patient positioning table provided for surgery, catheterization, angiography or traumatology that has a carrying arm connected to a support column. The carrying arm has a fastening mechanism, so that a patient positioning plate can be optionally secured to the carrying arm projecting away from the carrying arm to the left or right.

In a preferred embodiment of the invention the patient positioning plate of the urological patient positioning table is pivotable around a substantially horizontal axis, the horizontal axis being arranged at the head end of the patient positioning plate and proceeding substantially at a right angle relative to the longitudinal axis of the plate. The arrangement of the horizontal axis of the patient positioning table at the head end

of the patient positioning plate makes it possible to keep the foot end of the patient positioning plate, which represents the treatment side of a patient in a lying position on the patient positioning table, free of any and all component, i.e. free of a swivel device containing the axis. Since components of a swivel device are not located under the patient positioning plate at the foot end of the patient positioning plate there are, moreover, no impediments for the legs of a urologist projecting under the patient positioning plate when the urologist examines a patient when seated.

In another embodiment of the invention, the patient positioning plate can be swivelled around the horizontal axis -- proceeding from a horizontal initial position -- in an angular range from a  $+90^\circ$  raised position to a  $-20^\circ$  lowered position of the foot end of the patient positioning plate. The invention thereby allows repositioning the patient for sitting or standing examinations, i.e. positioning the patient with his/her head at the actual foot end and the buttocks at the actual head end of the patient positioning plate. To this end, a seat and a bench can be attached to the head end of the patient positioning plate. An examination of a patient in a sitting or standing posture would in fact also be possible at the patient positioning plate if the patient positioning plate were pivoted around the horizontally proceeding axis by  $-90^\circ$ , i.e. lowered position of the foot end of the patient positioning plate, from its horizontal initial position. In this case, however, a relatively large, vertical adjustment motion of the horizontally proceeding axis and of the patient positioning plate would have to ensue in order, given the required swivel event, to avoid contact of the patient positioning plate with the floor of the room containing the patient positioning table; for this reason, the first version is preferred.

In another version of the invention, the patient positioning plate has an x-ray transparent region in order to implement radiological examinations of the urogenital region of a patient at the patient positioning table. The patient positioning plate can be completely formed of a material that is transparent to x-rays.

In an embodiment of the invention, the patient positioning table has a stand for accepting at least one apparatus part, and an x-ray source and an x-ray receiver can be attached to the stand in one version of the invention. Preferably, the x-ray source and the x-ray receiver, which can be an x-ray image intensifier, an aSi flat image detector or an x-ray film, are arranged at the stand lying opposite one another so that the central ray of an x-ray beam emanating from the x-ray source is approximately centrally incident on the x-ray receiver.

In a preferred embodiment of the invention the stand has at least two sections directed substantially parallel to the longitudinal axis of the patient positioning plate, which has an upper side for the patient positioning and a lower side. One section is arranged at the side of the upper side and the other section is arranged at the side of the lower side of the patient positioning plate. In a version of the invention, the x-ray source is arranged at the one section and the x-ray receiver is arranged at the other section. Independently of one another, the x-ray source and the x-ray receiver are adjustable relative to the respective section that carries them, this adjustment ensuing substantially in the direction of the longitudinal axis of the patient positioning plate and/or transversely relative to the longitudinal axis of the patient positioning plate. In another version of the invention, the adjustments of the x-ray source and of the x-ray receiver preferably ensue synchronously. These embodiments of the invention make it possible to keep the patient as well as the stand at rest during radiological

examination of various body regions of the patient positioned on the patient positioning table. The risk of injuries is thereby reduced for patients who, for example, undergo surgical interventions under x-ray supervision wherein, as in endoscopic interventions during which instruments are employed, the x-ray receiver and the patient must be displaced relative to one another for the purpose of x-ray monitoring. Because the x-ray source as well as the x-ray receiver (rather than the stand) are displaced relative to the patient, the stand no longer blocks access to the patient given x-ray exposures of the urogenital region of a patient, as is usually the case given adjustable stands that must be placed next to the urogenital region for such x-ray exposures.

In a further version of the invention the patient positioning table has the carrying part connected to the lifting column pivotable around the horizontal axis relative to the lifting column, with the patient positioning plate and the stand arranged at the carrying part. In this way, the patient positioning plate and the stand can be pivoted in common around the horizontally proceeding axis.

In further versions of the invention the patient positioning plate and/or the stand are adjustable relative to the carrying part in the direction of the longitudinal axis and/or transversely relative to the longitudinal axis of the patient positioning plate, so that versatile possibilities for placing a patient relative to the x-ray source and the x-ray receiver are achieved.

### **DESCRIPTION OF THE DRAWINGS**

FIG. 1 is a side view of an inventive patient positioning table.

FIG. 2 is a view of the patient positioning table of FIG. 1 in the direction of the arrow II in FIG. 1.

FIG. 3 is a view of the patient positioning table of FIG. 1 in the direction of the arrow III of FIG. 1.

FIG. 4 shows the patient positioning table of FIG. 1 with a pivoted patient positioning plate and pivoted stand for examining a patient in a seated position.

FIG. 5 shows the patient positioning table of FIG. 1 with pivoted patient positioning plate and pivoted stand for examining a patient in a standing posture.

### **DESCRIPTION OF THE PREFERRED EMBODIMENTS**

In the exemplary embodiment, the inventive patient positioning table 1 shown in various views in FIGS. 1 through 5 has a lifting column 2 arranged on the floor of a room, at which a carrying arm 3 is seated so as to be vertically adjustable in the directions of the double arrow a. A carrier part 4 is arranged at the carrying arm 3, this carrier part 4 being mounted with a swivel device S so as to be pivotable relative to the lifting column 2 and the carrying arm 3 around substantially horizontally proceeding axis A of the patient positioning table 1. A holding mechanism 5 for a patient positioning plate 6, having a longitudinal axis B, and for a stand 7 is secured to the carrier part 4.

The holding device 5 for the patient positioning plate 6 has two sections 8 and 9. The first section 8 in the exemplary embodiment is composed of a material that is not transparent for x-rays and the second section 9 is fashioned of a material transparent for x-rays. The patient positioning plate 6 itself is completely fashioned of a material transparent x-radiation and, relative to the holding device 5, is seated to be adjustable in the directions of the double arrows b and c transversely and longitudinally relative to the horizontal axis A. The bearing of the patient positioning plate 6 can, for example, ensue with rails (not shown).



The stand 7 is formed of two parts. The first part of the stand 7 in the present embodiment has a column secured to the carrier part 4 that is vertically directed in the initial position of the carrier part 4 shown in FIG. 1, has a section 11 arranged at a right angle thereto and horizontally directed parallel to the axis A, and a section 12 arranged at a right angle thereto that is directed substantially parallel to the longitudinal axis B of the patient positioning plate 6, so that the first part of the stand 7 forms an angled carrying arm. In the exemplary embodiment, an x-ray source 13 is arranged at the section 12, this being adjustably seated (in a way not shown in greater detail) at the section 12 along the longitudinal axis B in the directions of the double arrow d and transversely relative to the longitudinal axis B of the patient positioning plate 6 in the directions of the double arrow f.

The second part of the stand 7 is arranged at the carrier part 4 under the patient positioning plate 5 and has a section 14 directed substantially parallel to the longitudinal axis B of the patient positioning plate 6. In the exemplary embodiment, an x-ray image intensifier 15 is seated (in a way not shown in greater detail) at the section 14 so as to be adjustable along the longitudinal axis B in the directions of the double arrow e and transversely relative to the longitudinal axis B of the patient positioning plate 6 in the directions of the double arrow g. Instead of the x-ray image intensifier 15, an aSi flat image detector or an x-ray film accepted in a cassette or a cassette carriage can also be employed as the x-ray receiver.

The adjustment of the x-ray source 13 at the section 12 as well as the adjustment of the x-ray image intensifier 15 at the section 14 preferably ensue with electric motors (not shown in greater detail) that are preferably synchronously driven by a control arrangement (likewise not shown in greater detail) in the form of a known

control computer. The x-ray source 13 and the x-ray image intensifier 15, however, alternatively can be adjusted independently of one another, whereby the x-ray source 13 and the x-ray image intensifier 15 can be aligned relative to one another with the control, which knows the positions thereof, so that the central ray CS of an x-ray beam emanating from the x-ray source 13 in x-ray exposures is approximately centrally incident on the input luminescent screen of the x-ray image intensifier 15.

The adjustment of the x-ray source 13 and of the x-ray image intensifier 15, however, need not necessarily ensue under motor drive but can ensue manually.

FIG. 1 schematically shows the prone positioning of a patient P on the patient positioning plate 6 of the patient positioning table 1, with the head of the patient P disposed at the head end K and the urogenital region of the patient P is disposed at the foot end F of the patient positioning plate 6. Although not shown in FIG. 1, known auxiliary means for positioning the patient P such as leg or arm supports can be arranged at the patient positioning plate 6.

As can be seen from FIG. 1, as a result of the arrangement of the pivot device S containing the horizontally proceeding axis A at the head end K of the patient positioning plate 6, as well as due to the arrangement of the lifting column 4 connected to the swivel device S laterally next to the head end K of the patient positioning plate 6, the space around the foot end F of the patient positioning plate 6 on which, as already mentioned, the urogenital region of the patient P to be examined is placed, is not blocked by any components of the patient positioning table 1, and the patient positioning table is thus laterally as well as frontally freely accessible in the region of the foot end F of the patient positioning plate 6.

The x-ray source 13 and the x-ray image intensifier 15 - as long as no radiological examination is ensuing - can be adjusted into standby positions, indicated with broken lines in FIG. 1. Alternatively, however, and as already mentioned, a space-saving x-ray detector, for example an aSi flat image detector or an x-ray film accepted in a cassette mechanism, can be employed instead of the x-ray image intensifier 15; these can be adjustably integrated in the section 9 of the holding device 5.

As indicated in FIG. 1, the patient positioning plate 6 arranged at the carrier part 4 can be pivoted from the horizontal initial position of the patient positioning plate 6 shown in FIG. 1 through an angular range encompassing a  $+90^\circ$  raised position of the foot end F to a  $-20^\circ$  lowered position of the foot end F. This pivoting takes place around the horizontally proceeding axis A, so that examinations at the patient are also possible given a pivoted patient positioning plate 6.

For examining the patient P in a sitting or standing position, as shown in FIGS. 4 and 5, the carrier part 4, and thus the patient positioning plate 6 and the stand 7, are pivoted either manually or under motor drive by  $+90^\circ$  raised position of the foot end F around the horizontally proceeding axis A. The patient positioning table 1 shown in the exemplary embodiment allows repositioning of the patient P for sitting or standing examinations, i.e. placing the buttocks at the actual head end K and the head at the actual foot end F of the patient positioning plate. Dependent on the size of the patient P to be examined, the carrier part 4 can be adjusted vertically relative to the lifting column 2 and/or the patient positioning plate 6 can be adjusted relative to the holding device 5, and thus relative to the carrier part 4, so that urogenital region of the patient P to be radiologically examined is located in the x-ray transparent section 9 of the holding device 5. For examining the patient P in a sitting or standing posture, a seat

16 and a bench 17 on which the patient P can be placed can be attached in a known way to the head part K of the patient positioning plate 6.

In the exemplary embodiment, the x-ray source 13 and the x-ray image intensifier 15 are adjustably attached to the stand 7. In another embodiment of the invention, which is not shown in greater detail, the stand 7 also can be adjustable relative to the carrier part 4 in the direction of the longitudinal axis B of the patient positioning plate 6 and/or transversely to the longitudinal axis B of the patient positioning plate 6, for this purpose given the employment of the stand 7 described for the exemplary embodiment, the two parts of the stand 7 must be adjustable relative to the carrier part 4. When the stand forms a unit, then this unit is to be adjustably seated only relative to the carrier part 4.

Moreover, the stand utilized at the patient positioning plate need not necessarily have an angled carrying arm. The stand can also be fashioned C-shaped in a known way.

In the exemplary embodiment, further, the carrier part 4 together with the patient positioning plate 6 and the stand 7 are pivotable around the horizontally proceeding axis A so that a  $+90^\circ$  raised position or a  $-20^\circ$  lowered position of the foot end F of the patient positioning plate 6 can be reached proceeding from its horizontal initial position. In another embodiment of the invention, the carrier part 4 together with the patient positioning plate 6 and the stand 7 can be implemented to be pivotable around the horizontally proceeding axis A in an angular range from a  $-90^\circ$  lowered position through a  $+20^\circ$  raised position of the foot end F. This embodiment of the invention, however, requires a relatively large implementation of the lifting column in order to be able to vertically adjust the carrier part 4 such that, given pivot events around the horizontally

proceeding axis A from -90° lowered position of the foot end F, contact of the patient positioning plate 6 with the floor of the room accepting the patient positioning table 1 is avoided.

Although modifications and changes may be suggested by those skilled in the art, it is the intention of the inventors to embody within the patent warranted hereon all changes and modifications as reasonably and properly come within the scope of their contribution to the art.

**WE CLAIM AS OUR INVENTION:**

1. A urological patient positioning table comprising:  
a patient positioning plate having a head end and a foot end;  
a lifting column;  
a carrying arm connecting said positioning plate to said lifting arm; and  
said lifting column and said carrying arm being disposed at said head end of  
said positioning plate laterally next to said positioning plate.

2. A urological patient positioning table as claimed in claim 1 wherein said  
positioning plate has a longitudinal axis and wherein said positioning plate is mounted  
to said carrying arm for rotation around a horizontal axis, said horizontal axis being  
disposed at said head end of said positioning plate and proceeding substantially at a  
right angle relative to said longitudinal axis.

3. A urological patient positioning table as claimed in claim 2 wherein said  
positioning plate is mounted to said carrying arm for rotation around said horizontal  
axis, out of a horizontal initial position, through an angular range from a +90° raised  
position of said foot end through a -20° lowered position of said foot end.

4. A urological patient positioning table as claimed in claim 1 wherein said  
patient positioning plate has a region that is transparent to x-rays.

5. A urological patient positioning table as claimed in claim 1 further comprising an apparatus part and a stand connected at least indirectly to said <sup>carrying arm</sup> carrier for said apparatus part.

6. A urological patient positioning table as claimed in claim 5 wherein said apparatus part comprises an x-ray source, and further comprising an x-ray receiver also mounted to said stand.

7. A urological patient positioning table as claimed in claim 6 wherein said positioning plate has an upper side and a lower side, and wherein said stand comprises a first section disposed next to said upper side of said positioning plate and a second section disposed next to said lower side of said positioning plate, said second section being substantially parallel to said longitudinal axis of said positioning plate.

8. A urological patient positioning table as claimed in claim 7 wherein said x-ray source is mounted at said first section of said stand and wherein said x-ray receiver is mounted at said second section of said stand, and wherein said x-ray source is adjustable in position relative to said first section and wherein said x-ray receiver is adjustable in position relative to said second section, said x-ray source and said x-ray receiver each being adjustable in at least one of a first direction along said longitudinal axis and a second direction transversely to said longitudinal axis.

9. A urological patient positioning table as claimed in claim 8 wherein said x-ray source and said x-ray receiver are synchronously adjustable.

10. A urological patient positioning table as claimed in claim 5 comprising a carrier part connected to said lifting column and being rotatable relative to said lifting column around a horizontal axis, said positioning plate and said stand being mounted at said carrier part, and said carrier part being attached to said carrying arm.

11. A urological patient positioning table as claimed in claim 10 wherein said positioning plate is adjustable relative to said carrier part in at least one direction selected from the group consisting of a first direction along said longitudinal axis and a second direction transverse to said longitudinal axis.

12. A urological patient positioning table as claimed in claim 10 wherein said stand is adjustable relative to said carrier part in a direction selected from the group consisting of a first direction along said longitudinal axis and a second direction transversely to said longitudinal axis.

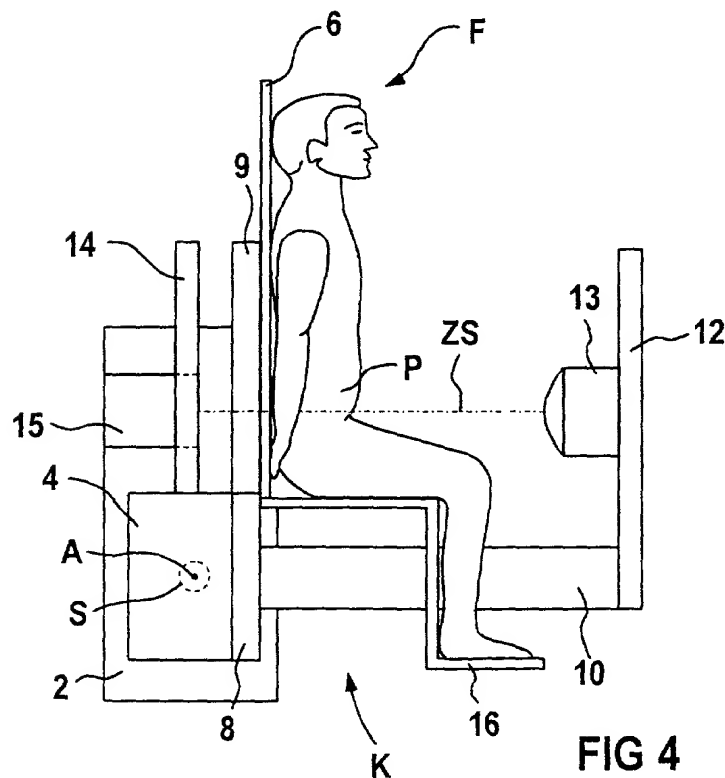
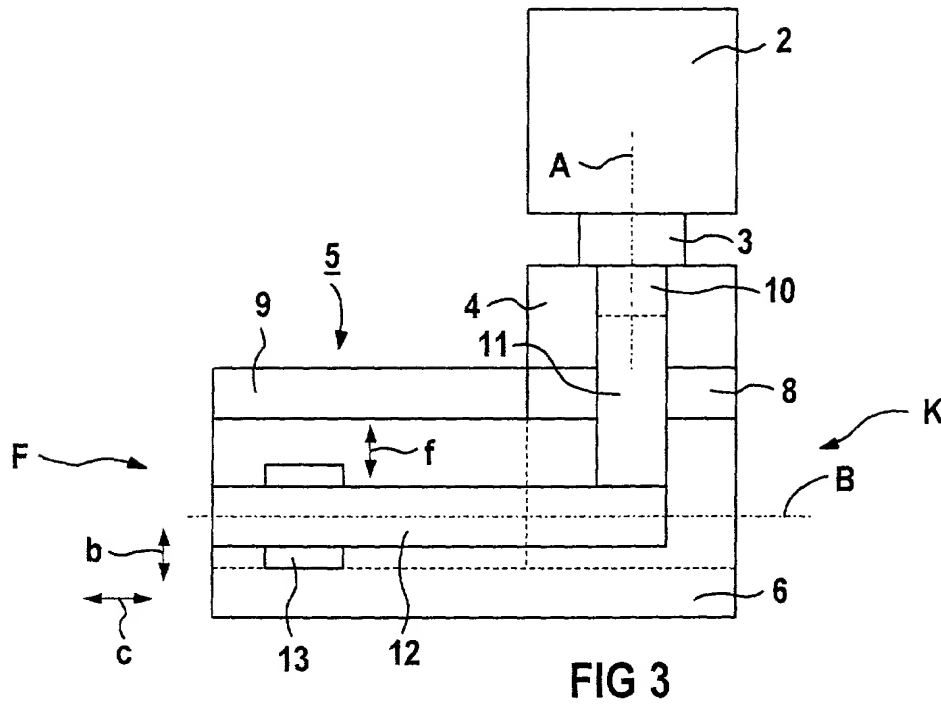


### **ABSTRACT OF THE DISCLOSURE**

A urological patient positioning table has a patient positioning plate with a head end and a foot end, and has a lifting column connected to the patient positioning plate. The lifting column is arranged at the head end of the patient positioning plate laterally next to the patient positioning plate.



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## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### "UROLOGICAL PATIENT POSITIONING TABLE"

Case No. P00,1816, the specification of which

(check one) ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_, as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).<sup>1</sup>

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below

Prior Foreign Application(s)

Number

Country

Date

**199 57 129.5**

**Fed. Rep. of Germany**

**November 26, 1999**

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)

Number

Country

Date

<sup>1</sup> (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in.

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:

Prior Foreign Application(s)

Number

Country

Date

And I hereby appoint Messrs. John D. Simpson (Registration No. 19,842), Steven H. Noll (28,982), Brett A. Valiquet (27,841), James D. Hobart (24,149), Melvin A. Robinson (31,870) and Mark Bergner (45,877), all members of the Firm Schiff Hardin & Waite, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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